

KENTUCKY BOARD OF HOME INSPECTORS
MEETING MINUTES
September 10, 2013

A meeting of the Kentucky Board of Home Inspectors was held at the Office of Occupations and Professions in Frankfort, KY on September 10, 2013.

MEMBERS PRESENT

Kevin Farris, Chairman (dismissed early)
Mitch D. Buchanan, Vice Chairman
Mark G. Oerther
Mark Schmidt
J.R. Bone
Ken Fister
James A. Chandler
Robert P. Johnson

MEMBERS ABSENT

None

OCCUPATIONS AND PROFESSIONS STAFF

Diana Jarboe, Board Administrator
Matt Osborne, Executive Director

OFFICE OF THE ATTORNEY GENERAL

Brian Judy, Office of the Attorney General

GUESTS

Steve Keeney
James Breslin
Don Gaines

CALL TO ORDER

Kevin Farris, Board Chairman, called the meeting to order at 10:25 a.m.

MINUTES

A motion was made by Mr. Buchanan to approve the meeting minutes from August 13, 2013. Mr. Bone seconded that motion and it carried.

MONTHLY FINANCIAL REPORT

The financial statement for the month ending August 30, 2013 was reviewed by the Board.

LICENSURE STATUS REPORT

Ms. Jarboe informed the Board there are currently 310 active licensed Home Inspectors and 14 inactive licensed Home Inspectors.

OCCUPATIONS AND PROFESSIONS REPORT

Mr. Osborne detailed the Pension Reform Bill which passed during the 2013 Regular Session and is now in effect. This should be a very minimal issue for the licensing boards of O&P. Ms. Jarboe informed the Board that the database project continues with much progress made in the last month, per O&P IT staff, and that the vacant Board Administrator position at O&P had been fulfilled by Ms. Jennifer Hutcherson.

OLD BUSINESS

The Board reviewed a financial quote of printed brochures at the last meeting. The Board members will bring sample brochures to the next meeting as a starting point for designing the KBHI brochure. The Board discussed where the brochures will be distributed and who they will be available to including the KBHI website and by shipment to Home Inspector and realtor associations. Mr. Bone motioned to request \$10,000 for the printing and distribution of these brochures and to establish a subcommittee, consisting of Mr. Johnson, Mr. Bone, and Mr. Fister, for the design of these brochures and any other educational materials. Mr. Chandler seconded the motion and the motion carried.

NEW BUSINESS

- The Board has opted to NOT proceed with developing a statute for the development and maintenance of any research and education fund.
- Ms. Jarboe presented the Board members with updated application checklists. Mr. Buchanan made a motion to approve the use of the new checklists with amendments, Mr. Fister seconded the motion and the motion carried. Ms. Jarboe will amend the checklists and begin using them for application review immediately. The checklists will also be posted on the Board's website for applicant reference.
- The Board discussed acceptable methods of completing continuing education courses and pre-licensing education, including online and onsite courses. Mr. Chandler made a motion not to accept online pre-licensing education or continuing education courses. Mr. Schmidt seconded the motion. Five members of the Board voted not in favor of the motion, three members of the Board voted in favor of the motion, and the motion did not carry. Mr. Oerther motioned to accept online continuing education courses and only onsite pre-licensing education courses with an instructor present. Mr. Johnson seconded the motion and the motion carried. Mr. Buchanan motioned to limit the number of continuing education units that can be accepted toward licensure renewal to one half of the total required continuing education units per licensure period. Mr. Schmidt seconded this motion, Mr. Chandler abstained from the vote, and the motion carried.
- For every offering of a continuing education course, as the current law is written, there is a fee required. The Board discussed how it is nearly impossible to track each course every time it is offered online and onsite. The Board will address this issue within the regulations that are currently being drafted.
- Mr. Chandler motioned for Mr. Buchanan to be elected the new Board Chairman effective immediately following the October Board meeting which will be the end of Mr. Farris' term. Mr. Schmidt seconded the motion and the motion carried.
- Mr. Schmidt motioned for Mr. Chandler to be elected the Board Vice Chairman at the time Mr. Buchanan becomes the Chairman of the Board. Mr. Buchanan seconded this motion and the motion carried.
- The draft of the proposed regulation changes was reviewed in great detail by all members of the Board. Mr. Judy will make the amendments that have been suggested during this meeting and email a new draft to all members of the Board. The new regulation draft will be

the first item of discussion on the agenda for the November meeting as Mr. Judy is not able to attend the October meeting.

- Mr. Buchanan motioned to remove report writing from the “technical” category of the continuing education requirements, leaving only 5 hours required of “technical” continuing education each licensure period and three hours of report writing to be completed separately and in person each licensure period. Mr. Johnson seconded this motion and the motion carried.

EDUCATION COMMITTEE REPORT

- Work of sorting through all current education programs on file continues and the Education Committee will be creating a tracking system for all education files soon.
- The Education Committee motioned to approve the Continuing Education courses submitted by ASHI, including 45 courses within the “Inspecting Essential Track: Basic Electric 2014,” “Advanced Learning Track,” “Building Science and Structure Track,” “Specialty/Diversification Track,” and the “Business Management Track” pending the additional payment due. Mr. Schmidt seconded the motion and the motion carried.
- The Education Committee motioned to deny the Pre-licensing application of Amerispec Academy for lacking the course requirements of three hours of manufactured housing, 11 hours of standards of practice, 16 hours of field training, and three unpaid home inspections. Mr. Schmidt seconded the motion and the motion carried.

APPLICATIONS COMMITTEE

The Applications Committee made the following recommendations:

- Renewal applications to be approved – Jarrod Simpson and Andrew Snyder.
- Renewal applications deferred, pending the receipt of proof of current continuing education and a revised home inspection report – Brian Baioni
- Initial licensure applications to be approved – Neil Degaris and Michael Hartung.

Mr. Oerther made a motion to accept the recommendation of the Applications Committee for the approved initial licensure applications, Mr. Schmidt seconded the motion, and it carried. Mr. Oerther also motioned to accept the recommendation of the Applications Committee for the approval of the renewal applications. Mr. Buchanan seconded the motion and the motion carried.

Mr. Schmidt motioned to deny the application for James Tolliver for lack of fulfilling 815 KAR 6:0102(8)(a)(7.) Mr. Buchanan seconded the motion, Mr. Johnson abstained from voting, and the motion carried.

During the application review, the Application Committee gathered information regarding the field training completed with AHIT by an applicant. In response to this information, Mr. Schmidt motioned for Mr. Judy to write a letter to AHIT requesting records of the courses of field training provided since April 2011. Mr. Johnson seconded the motion and the motion carried.

COMPLAINTS COMMITTEE

Mr. Bone motioned for the complaints committee to begin a closed session for review of complaint files at 8:50am. Mr. Schmidt seconded the motion and the motion carried. The committee had discussion and prepared their recommendations to the Board. Mr. Farris made a motion to end the closed session and the Complaint Committee meeting at 10:15am. Mr. Schmidt seconded the motion and the motion carried.

The complaint Committee reported the following on the current complaint cases:

- Romancik - ongoing
- 13-KBHI-0121 - ongoing
- 2013-05 - ongoing
- 2013-07 – Formal complaint to be filed by the Board. Motion to accept the committee’s recommendation made by Mr. Schmidt, seconded by Mr. Chandler, and with Mr. Buchanan absent for the vote, the motion carried.
- 2013-08 – Dismissal recommended. Motion to accept the committee’s recommendation made by Mr. Schmidt, seconded by Mr. Oerther, and carried unanimously.
- 2013-10 - Dismissal recommended. Motion to accept the committee’s recommendation made by Mr. Schmidt, seconded by Mr. Chandler, and carried unanimously.

The Board received notice of advertisement for a home inspection pre-licensing course by a provider that has not been approved by KBHI. Mr. Schmidt motioned to send a cease and desist letter to Parker Inspection and a copy to NAHI and the West Virginia State licensing Board. Mr. Oerther seconded the motion and the motion carried.

The Board also received notice of a non-licensed Home Inspector advertising home inspection services on Craig’s List. Mr. Schmidt motioned to send a cease and desist letter to Douglas S. Adams. Mr. Bone seconded the motion and the motion carried.

The Board discussed what sources for complaints would be accepted by the Board. The Board members agreed that the source of the complaint should be a factor in the review of the complaint documentation.

TRAVEL AND PER DIEM

Mr. Chandler made a motion to approve the travel and per diem for members attending today’s meeting. The motion, seconded by Mr. Fister, carried.

NEXT MEETING

The next meeting is scheduled for Tuesday, October 8, 2013, 10:00am at the Office of Occupations and Professions in Frankfort, KY.

ADJOURNMENT

Mr. Bone made a motion to adjourn at 4:05p.m. The motion, seconded by Mr. Chandler, carried.